

MORGAN, LEWIS & BOCKIUS LLP
David L. Schrader, Bar No. 149638
david.schrader@morganlewis.com
300 South Grand Avenue
Twenty-Second Floor
Los Angeles, CA 90071-3132
Tel: +1.213.612.2500
Fax: +1.213.612.2501

Brian M. Ercole
(*pro hac vice motion forthcoming*)
brian.ercole@morganlewis.com
Matthew M. Papkin
(*pro hac vice forthcoming*)
matthew.papkin@morganlewis.com
600 Brickell Ave, Suite 1600
Miami, FL 33131-3075
Tel: +1.305.415.3000
Fax: +1.305.415.3001

Mark A. Feller, Bar No. 319789
mark.feller@morganlewis.com
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: +1.415.442.1000
Fax: +1.415.442.1001

*Attorneys for Defendant
Tesla, Inc.*

Adam A. Edwards*
aedwards@milberg.com
William A. Ladnier (CA Bar No. 330334)
wladnier@milberg.com
Virginia Ann Whitener*
gwhitener@milberg.com
**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC**
800 S. Gay Street, Suite 1100
Knoxville, TN 37929
Tel: (865) 247-0080
Fax: (865) 522-0049

Mitchell Breit*
mbreit@milberg.com
**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC**
405 E. 50th Street
New York, NY 1002
Tel: (347) 668-8445

** Pro hac vice forthcoming*

*Attorneys for Plaintiffs James Porter, Bryan
Perez, and Dro Esraeili Estepanian*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES PORTER, BRYAN PEREZ, and
DRO ESRAEILI ESTEPANIAN, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

vs.

TESLA, INC.,

Defendant.

Case No. 4:23-cv-03878-YGR

**DECLARATION OF MARK A. FELLER IN
SUPPORT OF STIPULATION TO
CHANGE TIME FOR DEFENDANT
TESLA, INC. TO RESPOND TO THE
CLASS ACTION COMPLAINT**

Judge: Hon. Yvonne Gonzalez Rogers
Compl. Filed: August 2, 2023

DECLARATION OF MARK A. FELLER

I, Mark A. Feller, hereby declare pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law, duly licensed to practice in the State of California and before this Court, and am an attorney with Morgan, Lewis & Bockius LLP, attorneys of record for Defendant Tesla, Inc. (“Tesla”) in this action. In accordance with Civil L.R. 6-3, I make this declaration in support of the Parties’ Stipulated Request To Change Time For Defendant To Respond To The Class Action Complaint.

2. On August 2, 2023, Plaintiffs filed their Complaint. Dkt. No. 1.

3. On August 7, 2023, Plaintiffs served a copy of the complaint and summons on Tesla. Dkt. No. 9.

4. On August 21, 2023, Tesla filed an Administrative Motion to Consider Whether Cases Should Be Related Pursuant to Civ. L.R. 3-12 (Dkt. No. 21) seeking to have two cases – *Alejandro Corona and Cabanillas & Associates, P.C. v. Tesla, Inc.*, Northern District of California, Case No. 3:23-cv-03902-VKD) and *Samuel Van Diest and Sergy Khalikululov, et al.*, Northern District of California, Case No. 4:23-cv-04098 – related and reassigned to this Court.

5. Tesla’s response to the Complaint is currently due on August 28, 2023.

6. Considering the pending nature of Tesla’s Administrative Motion to Relate Cases, the number of claims and potential plaintiffs, and the importance of having fulsome briefing of any pre-answer motions, Tesla’s counsel requested, and Plaintiffs’ counsel agreed to, a 46-day extension of time for Tesla to respond to the Complaint to October 13, 2023.

7. The Parties have not previously sought any extensions.

8. The requested extension of the deadline to respond to the Complaint does not affect any other deadlines in this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of August 2023, in San Francisco, California.

/s/ Mark A. Feller

Mark A. Feller